FARAD CONSTITUTION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE,
NAGPUR BENCH, NAGPUR

LETTERS PATENT APPEAL NO. 298/2006

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's orders.	Court's or Judge's Orders

CORAM:- **D.D. SINHA &**
A.B. CHAUDHARI, JJ.
DATED :- 18.01.2007

Heard Shri P.C. Marpakwar, learned Counsel for the appellant, and Shri A.D. Mohgaonkar, learned Counsel for the respondents.

Considered the contentions canvassed by the respective Counsel. Perused the impugned order of the learned Singe Judge.

The observations in the impugned order would show that the appellant has filed ULPA Complaint No. 284/1984, which was dismissed in default on 15.6.2001, Misc. U.L.P.A. No.25/2001 was also dismissed and Writ Petition which was filed before this Court was also dismissed on 19.9.2002. The fresh complaint which was filed by the applicant was for same cause of action, which was involved in the earlier complaint and there

was no reference in the fresh complaint about the excess recovery. Consequently, the findings recorded by the learned Single Judge, in our view in this background are just and proper. No interference is called for. The L.P.A. is dismissed.

JUDGE **JUDGE**

ssw